

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

1. Telephone Conference.

The Applicant thanks the Examiner for the kindnesses extended during the telephone conference on October 12, 2007.

During the conversation, the term "laminar" was discussed, relating to the "laminar electrical contact" in the claimed invention. The Examiner agreed that Franklin does not disclose a laminar electrical contact (reference numeral 72 in the instant application) and that the bipolar separator plate in Franklin is not the same as or analogous to the laminar electrical contact of the instant invention as claimed.

2. Summary of Independent Claims.

Each of the independent claims in the instant application recites a laminar electrical contact that is not present in the Franklin reference.

Claim 1. Claim 1 requires that the conductive laminar contact is attached to compliant members. The compliant members are attached to one side of a bipolar separator plate. A membrane electrode assembly is attached to the opposite side of the bipolar separator plate.

Claim 12. Claim 12 requires independently acting compliant members and a laminar electrical contact to be located between a bipolar separator plate and a membrane electrode assembly.

Claim 13. Claim 13, like Claim 1, requires a laminar electrical contact to be attached to flexible means for making electrical contact. The flexible means are attached to one side of a bipolar separator plate. A membrane electrode assembly is attached to the opposite side of the bipolar separator plate.

Claims 17-20. Each of these claims is directed to a fuel cell stack that includes fuel cell modules having laminar electrical contacts that are in the same configuration and orientation as those disclosed in the method Claims 13-16.

Because each of these claims includes a laminar electrical contact that is not present in the Franklin reference, the Franklin reference cannot render the instant invention, as claimed, obvious for purposes of 35 U.S.C. § 103.

3. Amendments Made Without Prejudice or Estoppel.

Notwithstanding the amendments made and accompanying traversing remarks provided above, Applicants have made these amendments in order to expedite allowance of the currently pending subject matter. Applicants reserve the right to pursue the original scope of these claims in the future, such as through continuation practice, for example.

4. Conclusion.

In the event any further matters remain at issue with respect to the present application, Applicants respectfully request that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this application.

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Respectfully submitted,



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